Bombay Gazette.

Wednesday, October 15, 1817.

Volume 28.) (Number 1428.

Advertisement.

Mr. Joseph Johnstone,

BEGS LEAVE TO ACQUAINT THE

LADIES AND GENTLEMEN

Of this Settlement and its Vicinity,

THAT

HE WILL HAVE OPEN FOR SALE

ON MONDAY NEXT THE 20TH INSTANT,

AT HIS HOUSE

IN

Hummum Street,

AN INVESTMENT OF

EUROPE ARTICLES,

Just imported per

HONORABLE COMPANY'S SHIP

HUDDART

viz.

HODGSONS Pale Ale in Casks.

Pale Ale in Bottles, Cyder in Stone Bottles, Wryghte's Bitters.

Glass Decanters, Stoppers &c. complete.

Port Wine, and sparkling Champaigne of a superior quality from Nesbitts.

Claret and fine Hermitage Wine from Paxton and Majoribanks.

Fine York Hams, Pine and Berkly Cheeses.

Pickled and smoked Tongues in excellent order.

Oilman's Stores from Curtis, Wyatt and Co.

Glassware from Nash and Co.

Boots and Shoes from Stunt.

Gentleman's and Children's Beaver Hats, and Opera ditto complete; an assortment of Silk and Cotton Hosiery from Peart & Co. A superb assortment of Millinery consisting of Bonnets, and Flowers handsomely trimmed &c. figured Satin Bonnets, dress Caps with flowers &c. Ribbon do. dress Bodies and Spencers, with a variety of Sarcenetts, Sattins, plain and figured Gauze, rich Waterloo Damask Gauzes, Circassian Scarfs, velvet and satin Vauxhall Tippets, su[illegible] Black and White Crape &c. [illegible]th an assortment of superior [illegible]cial Flowers, Trimmings &c. &c. Chintz of various colours, and a variety of neat patterns of Cambrick and Edging for dresses &c. &c.

Potters Patent Flutes with 6 and 8 Keys each.

Wine and Beer Corks, Morocco Skins of various colours, Buff Gloves, Enamel Boxes, double and triple; Gilt Buttons, plain and uniform Ditto, Plated Boatswain's Calls, Snuff of superior flavour from Fribourg and Pontet, Stationary, Playing Cards, Boo[illegible]atent Shot and Gun Powder, in cannisters, London made Table Knives and Forks, a small quantity of Penknives, Scissars, Gentleman's Spurs &c. Ladies and Gentleman's elegant Writing Desks, dressing Cases and work boxes handsomely fitted up with every useful article complete, Japanned Tin Boxes for Papers with Bramah's Patent Locks and 2 keys each, Cherry and Raspberry Brandy, Tart fruits, Jams and Jellys, &c. from Hoffman, Officers Rich Gold and Silver Epaulets, Gold Embroidered Thread.

Perfumery from Smyth's.

Red Cognac Brandy and fine flavour Geneva.

N. B. The above articles are in the highest state of preservation, and may be had at moderate Prices.

Bombay, 15th October 1817.

Advertisement.

Messrs. Edward Reel and Co.

RESPECTFULLY inform their Friends and the Public, that they intend opening their NEW AUCTION ROOMS in Hummum Street, on Saturday the 18th instant, when they intend selling the following Articles viz.—A large assortment of Wines and Spirits, Perry, Cyder and Beer, several Kegs of Salt Salmon & Mackerel, six very fine New Tents, several very fine sets of Queen's Ware, and Household Furniture of different descriptions.

Bombay, 15th October, 1817.

For Sale

AT THE

Bombay Tavern

WAREHOUSE,

A FEW Tierces of Europe Beef at 80 Rupees each.

A few Barrels of Europe Pork, at 60 Rupees each, and by retail ½ Rupee per pound; likewise packed up in small Casks for the conveniency of land Carriage at the above rate.

Bombay, 15th October, 1817.

WHEREAS by an order of the High Court of Chancery made in a Cause "GIST against FOWKE," it was amongst other things ordered that it should be referred to JAMES STEPHEN Esquire, one of the Masters of the said Court, to inquire and state whether JAMES GIST named in the will of SAMUEL GIST deceased, the Testator in the said order named, be living or dead, and if dead, whether he left any Issue Male, lawfully begotten and born of an European woman, or whether he left any child or children living at the time of the death of the said Testator: The said JAMES GIST, (who went upwards of 40 years ago to India as a private Soldier in the Honorable East India Company's Service and passed as it is supposed under the name of GUEST) if living, is forthwith to come in before the said Master at his Chambers in Southampton Buildings, Chancery Lane, London, and prove his Identity and if the said JAMES GIST be dead the Issue Male of the said JAMES GIST, lawfully begotten and born of an European woman, and also the child or children of the said JAMES GIST, living at the time of the death of the said Testator SAMUEL GIST, (who died on or about the 16th day of January 1815) are or is forthwith to come in before the said Master at his said Chambers and prove his, her or their Identity and relationship as aforesaid, to the said JAMES GIST; and any person who can give information respecting the said JAMES GIST, or his child or children are requested forthwith to give such information to the said Master at his Chambers aforesaid.

Any Person desiring further information or having any to communicate, on the subject of the above Advertisement, are referred to Messrs JOHN LECKIE & CO.

Bombay, 18th June, 1817.

NAUTICAL CHRONICLE & NAVAL REPORT

SAILED.—October 9th, the H. C's. Cruizer Prince of Wales, Lieutenant B. Dominiceti, to Surat.—Do. 12, Ship Samarang, Captain John Gover, to Ceylon.—Ship Asia Free Trader, Captain Alexander Greig, to England. PASSENGERS.

Lieutenant Colonel Nuthall, Mrs. Nuthall, Fred. Nuthall.

Do.—October 13th, Ship William Pitt Free Trader, Captain G. C. P. Living, to the Cape of Good Hope and London. PASSENGERS.

Mrs. Torin, Miss Torin, Mrs. Hawkins & 3 female Children,—Richard Torin Esq.—The Reverend James Clow, Colonel Atkins, Captain Hawkins, Ensign Donald.

Do.—13th, French Ship Sophie, Captain L. Maillet to the Mauritius & Bordeaux.

The Gazette.

WEDNESDAY, 15th OCTOBER 1817.

We published, in our last, the interesting trial of Mr. Thomas Jonathan Wooller, for a libel on His Majesty's Government, and in our paper of to-day will be found an account of the discussion which took place, in the Court of King's Bench regarding the circumstances attending the delivery of the verdict of guilty by the foreman of the Jury. Mr. Wooller was afterwards unsuccessfully tried for printing and publishing another libel. An account of this second trial will also be found detailed in our subsequent columns. These ineffectual efforts at conviction, cannot, as we imagine, do otherwise than impair and weaken the influence of Ministers.

The Bill for enabling the Clergy to let their Tythes on long leases passed the Commons the 9th of June.

We are happy at perceiving that the Literary World is shortly about to be gratified with some new productions from the pen of the justly celebrated Miss Edgeworth. Two Tales, the one denominated *Harrington*, the other *Ormond*, were, in the beginning of June, announced as nearly ready for publication.

We have given in a supplement, some sensible observations, on the French Theatres, taken from a publication entitled "Travels in France during the years 1814-15." As Talma is now acting in England, we thought a description of him might prove acceptable to some of our readers.

The Asia and William Pitt have been despatched for England, since our last. The one sailed on Sunday, the other on Monday.

The Free Trader *Surrey*, Captain Thomas Oldham, has arrived at Madras. She left England on the 24th of May, and Madeira the 12th of June.

Madras.

We have received letters from HYDERABAD of the 20th intant, by which we are most happy to learn that the health of HIS EXCELLENCY THE COMMANDER IN CHIEF, continues to improve very rapidly.—On the previous day he had taken an airing in his Palanquin, and we hope in a few days to announce his complete restoration to health. The GENERAL was not expected to leave the Residency before this date. In the mean time, the different columns are on their march to form their respective divisions of the Army in the Field.

From the Banks of the BEEMAH, we have some accounts of the movements of the Troops. A vast quantity of rain had fallen in that part of the Deccan. The river had risen considerably, and a great number of Cattle had perished from the inclemency of the weather. Game of all species abounded, and we give the following extraordinary instance of it in the words of a Correspondent:

"One morning on the line of march I had the good fortune to kill three Bustards with a single Barrel'd Gun, and shot No. 3—they were all on the Wing when shot and the three were shot off horseback—the last when my horse was at speed and turning round—and during that month I killed six Bustards and 39 Florikens. I mention this as it is the only instance I know of three Bustards being killed in a day; and I have been acquainted with all the great sporting characters for the last ten years.

MADRAS was visited early on Tuesday morning last by one of the most awful and tremendous thunder-storms we ever remember to have observed. The lightning was extremely vivid, but we are happy to state that, as far as our enquiries go, no material damage was occasioned by it. A tree at the St. Thomé Tank was struck and shivered. An immense quantity of rain fell during the storm. The weather has since been serene, but extremely sultry.

The Madras Government Lottery commenced drawing on Thursday last, on which day the following large prizes were drawn.

No. 3480 a Prize of 4,000 Pags. No. 2842 Prizes of 1,000 Pags. Nos. 2730. 3953 Prizes of 500 Pags. each, No. 1877 a Prize of 530 Ps. *Premium.* Nos. 8333. 5276 476 675 6291 Prizes of 100 Pags. each.

Yesterday the Drawing of the First Class concluded.

No. 4285 a Prize of 8,000 Pags. No. 2473 a Prize of 2,000 Pags. No. 689 a Prize of 1000 Pags. Nos. 2993 1344 2777 592 7300 Prizes of 100 Star Ps. each.

OCTOBER 1ST.

This morning arrived the Ship William Miles, Captain S. Beadle, from England 28th May, and Madeira 15th June.

PASSENGERS.—Miss Anne Gascoyne, Miss Marria Gascoyne, E. T. Gascoyne, Esq. and Mr. Joseph Cox. [*Madras Gazette.*

English Extracts.

A visionary tale has been admitted into some of the daily Papers, respecting the death of the much-lamented and highly respected Mrs. Jordan, which has occasioned much distress to her daughter, Mrs. Alsop, by recalling to her mind the mysterious & unsatisfactory accounts that were received of her death and funeral at Versailles; and particularly several letters that were written by the companion of that favourite actress in her continental tour, differing materially in the particulars, both as to the dates of her reported death and the extraordinary circumstances attending it,—rendering those accounts altogether mysterious and unaccountable; in so much, it is said, that her daughter has been anxious in the extreme to take a journey to Versailles, the spot of the reputed decease, in order to ascertain the real facts of this mysterious case. This journey, and the burthensome expences attending it, may surely be spared, and all uneasiness removed, by the candid information, respecting every particular, which a distinguished character, whose conduct to his own progeny by the same parent has been so exemplary, might probably have it in his power to afford.

DISPUTE BETWEEN PORTUGAL AND SPAIN.

Whilst all Europe is enjoying a Peace, which, according to all appearances, nothing can interrupt, a circumstance has occurred across the Atlantic, which in itself is of much importance, and which may eventually embarrass the Powers of Europe. We are so little accustomed to consider any thing of America and the American States but their names as Colonies, and so apt to confound all Colonies in the same idea, that many of us will be surprised to be informed that the Provinces of South America are as large as any European kingdom; that Brazil exceeds in extent France and Germany together; and that each of the two Provinces of the Plate contains more acres than the whole of their Mother Country. Each of them, therefore, is sufficiently large to constitute both an object of ambition, and a field for a long and various warfare. Now as the dominions of the Court of Brazil happen to be in immediate contact with the provinces of the Plate, and as the remoteness of both from Europe leaves each no subject of politics but the other, so they have become embroiled together; and whilst Spain and Portugal are in peace, Brazil and Monte Video are in actual war. This must be

allowed to be a singular condition of affairs.

This state of things, coupled with the recent alliance of the two Courts, (the King of Spain having married the daughter of the King of Portugal,) has very much embarrassed the political writers in Europe, and has excited a suspicion that the Governments were acting in concert—Spain, it has been said, saw that the American provinces of the Plate were lost to herself; she saw that between indignation, and a just apprehension of vengeance, the South American Patriots would listen to no accommodation, and that the provinces, therefore, were irrecoverable. In this state of things, she wished, it was thought, to sell what she could not keep; and to concede to Portugal, in exchange for something in Europe, what she could no longer hope to regain for herself. But in the midst of these representations, and almost at the same time in which the Portuguese Princesses arrived at Madrid, the Spanish Court issued an angry Manifesto,—denouncing the injustice and ill faith of the Court of Brazil, and demanding upon what claims they had invaded the American Colonies of Spain. This Manifesto has embarrassed all the previous speculations, and our daily writers now demand, what is the actual purpose of Portugal?

A sufficient time has elapsed for the Manifesto to reach the Court of Brazil, and we may accordingly look to the letters last arrived, in order to form our judgment as to the effect of this Declaration upon the Court of St. Salvadore.—But, according to the concurrent language of this intelligence, the invasion is still persisted in, and the Portuguese army is employing every effort to wrest these provinces from the Crown of Spain.

This state of things leads to two subjects of inquiry,—first, the probability of a War between the two Crowns; and secondly, the effect of this dispute, and of the evident project of Portugal upon our own immediate interests. We shall leave the first question to be explained by the events which will perhaps follow upon the next arrivals, and shall confine ourselves to a few observations upon the second head.

To those who speak with so much indifference of this project to the Court of Brazil to annex these provinces to her own empire, it is not perhaps known, or at least it is not fully present to their recollections, that we are actually in possession of the whole trade of these provinces, and that this trade consumes annually four millions sterling of our goods, and this at a period when the manufactures of our country are in so much need of every possible demand. And if such be the quantity which these provinces take off under their present circumstances, what would it not be if their trade was unimpeded, and the country generally open. A free trade may be computed to be triple that of one restricted by a monopoly, as under the old Government; or by the effects of war, as at present.

It is therefore the manifest interest of England not to encourage the Court of Brazil in this attempt to annex to itself the provinces of Spain, and still less to assist this Court in a purpose which would destroy such a large market for our manufactures. In the present state of Europe, it is not to be expected that any one of the Continental nations will come to the British market, and therefore our manufacturers must not expect any relief from their present general distress in a revival of the European demand. Our prices, following the raised price of land, the increased taxes, and the augmented wages of labour and price of sustenance, are infinitely beyond the means of the Continental market; they can manufacture cheaper, and they are all in a condition in which it becomes necessary to feed and encourage their own traders and labourers. No hope, no resource, no possible demand, therefore, now remains to us, but in North and South America,—those countries which, being still in an agricultural state, must seek their manufactures from Europe. This market will continue to increase for centuries yet to come, and it should be the prudence of the European Cabinets to encourage and to maintain it. England will always have the greatest portion of it, unless she lose it by some unpardonable error of her Statesmen.

As to the couduct of Portugal, considered merely with respect to her actual relations with the Court of Madrid, we are not prepared to condemn it in the hasty and offensive terms employed by some of the daily papers. It is the evident interest of the Court of Brazil to effect this annexation if possible, and it is a matter of doubt, whether at the time her interposition was projected, she had not a good and honest right to interfere. At the time the Portuguese Cabinet was first solicited the provinces of the Plate had effectually established their Independence, and Joseph and the Spanish Junta were in contention for Spain. Every one at that time regarded the Governments of Buenos Ayres and Monte Video as having established their Independence; and Ferdinand being at that period a prisoner at Valency, what was to preclude the Cabinet of Brazil from listening to the advances of a Party in the provinces of La Plata?

This, according to our own humble opinion, was the origin of the business; and the present view of the justice of the case is simply this,—The Provinces of the Plate have been all along regarded by us as Independent Provinces, and as totally lost to Spain, and have contracted obligations, and justly contracted them. In this state of things then, and under this belief, has the restoration of Ferdinand made any difference in our relations and duty respecting these Provinces? Are they not still totally lost to him; and do we injure him by persisting in a purpose, to which we had certainly a just right at the time we formed it?

This, as it seems to us, is the proper view of the question.

Bell's Weekly Messenger,—April 27.

LONDON.

MONDAY, MAY 12, 1817.

The Debates of the last week in the House of Commons have been, except on the Catholic question, conspicuous for their length, rather than for their eloquence or general importance. The question of Mr. Canning's Lisbon Embassy was discussed on Wednesday, and the Right Hon. Gentleman defended by Lord Castlereagh and by himself in a verbose detail of apologies which seems to have been discovered since the appointment took place. Lord Castlereagh convicted on the positive evidence of dates had recourse to a variety of excuses. The return of the Regent of Portugal, it is asserted upon the honor of the Cabinet was expected to take place. Mr. Canning, to be sure was sent out two or three weeks before there was any occasion; but in that gentleman's sagacious reasoning, "*as nature abhors a vacuum, so a quarter may be said to abhor a fraction.*" To avoid the fraction, therefore, and to round the salary, the appointment is made on the first surmise of the Regent's return, and the quarter's salary paid. But the question is not if the appointment of an embassy be necessary, a few weeks salary in addition should be paid; but whether if the appointment had been deferred *until the necessity was* apparent, it would have taken place at all. The consequences have proved that such a necessity has never existed. But, Mr. Canning has solemnly asserted, that, the Court of the Brazils wished for an ambassador to be sent. And the right honorable gentleman adds, "it has been said, that when a coronet gets into a man's head, there is no means of getting it out again. So when an embassy gets into the *head* of a *court*, it may be said there is no getting it out again.!" The *conclusive* argument may satisfy the right honorable gentleman that he has merited a sum of nineteen thousand pounds sterling; but we are apprehensive, that, besides himself, there is not another individual in the country who agrees with him that he has honestly earned it. In the opinion of Sir F. Burdett, such a mission was to be considered as a mere political job; in which the administration, weak and incompetent in itself, had a place to bestow, which just suited the convenience of the gentleman whose talents were in the market and to be disposed of, for an adequate remuneration.

The appointment of Mr. Herries occupied also the attention of the House on Thursday evening; & the comparative merits of that gentleman with Sir Willoughby Gordon, were stated, and it appears that the latter gentleman had all the skill and labour in arranging the commissariat department, of removing the difficulties which had previously existedin the supply of our armies, and of regulating all the complex machinery of supplying our troops in a foreign country. This he accomplished in a way highly creditable to himself; and having removed all the intricacy, his successor had little to do but to keep his system in motion; Sir Willoughby was superceded, and Mr. Herries named as his successor. The *reasons* of the Ministry seem to have been principally, that they all knew Mr. Herries; that he had been a very intimate friend of Mr. Perceval; and that his life had been spent in removing from one profitable employment to another still more profitable. Such are ample and satisfactory testimonies of merit, when a dependant is to be supported; but the nation is too stubborn to acquiesce in the justice of such pretentions, although it be now prevented from interfering to prevent them.

We have given the whole of the excellent speech of Sir James M'Intosh, in the case of Mary Ryan, who, it will be recollected, was put upon her trial for the offence of attempting to effect the escape of her husband, on the very day, nay, hour, on which he had suffered the penalty of the law in a public execution. We have given it fully, not merely as a part of a debate, but as a most important admonition to all Judges & Magistrates concerned in the administration of Criminal Justice. It deserves to be read and considered by them over and over again. It is calculated to correct, and to put the officers who carry into execution the penalty of the law, on their guard that most dangerous of all habits—that of judging men, and of sentencing them to punishment. The sad uniformity of crimes calling for correction, is apt to extinguish every humane sentiment, and the habit of passing judgement upon the miserable, and of inflicting punishment, too often stifles that natural compassion, to which every suffering creature has the most sacred claims. We repeat, Sir J. M'Intosh's appeal to the House, is one of those which cannot fail to be productive of the most beneficial results. Connected with this subject, as it relates to the criminal justice of the empire, some papers have been laid on the table of the House of Commons, respecting the discharge of the duties of the Second Fiscal in Demerara and Essequebo. When Mr. Goulbourn took occasion to pass a panegyric upon the private character of Mr. James Stephen, jun. which was to us as unintelligible as that Mr. Brougham, for reasons best known to himself, thought proper to be the echo. Is it from that young gentleman's holding a lucrative office declared to be illegal and unconstitutional, that some parliamentary inquiry upon the subject was anticipated. Mr. Brougham, we believe, proceeded in error, but we can inform Mr. Goulbourn, we have it in our power to give the public some information with respect to that office of which he has thought it prudent to eulogize the administration.

The important subject of "Catholic Emancipation," as it is called, again underwent an ample discussion in a very full House of Commons on Friday night; and was again decided negatively at a late hour yesterday morning, by a majority of 245 to 221. The last attempt to carry this measure approached much nearer to success than the present; for, though no security was given on the subject of the Veto, a Committee was granted; and in that division upon a clause of the bill which was fatal to the whole, the majority was we believe, only four.

Mr. Grattan introduced his favourite measure by only a short speech last night; reserving himself, as he said, for the reply: but towards the conclusion he was particularly animated and happy. Mr. Yorke spoke in favour of the measure, which, he as is one of those who are more fearful of touching "the old foundations," led to a temporary opinion that the motion for the Committee would be carried. Lord Castlereagh spoke in very decisive and strong terms for the measure. Mr. Canning was more brief. The whole debate was eminently interesting.

MR. CHANCELLOR LEACH.

We very much lament that Mr. Leach has declined to accept the office of Solicitor-General. He is well known to the profession, and we may venture to say, that no man who has seen the display of his talents, upon any of the great questions, in which a good deal of legal discrimination is necessary, will not pay the just tribute to his powers. We regret his declining to accept the office of Solicitor-General, on more than one consideration. We believe that Gentleman to hold in high respect the principle of the Whigs. Although we do not profess ourselves to be the champions of a domineering Aristocracy, yet it has always been essential to that party, and to their influence, that they should profess and support the free principles of the Constitution, and to look to the people for their voice and their approbation. It necessarily followed that all persons, connecting themselves with their party, should adopt similar sentiments, and consequently it created in their partizans a great infusion of honourable and liberal feelings. This association served as a link to, and a connection with, the great and distinguished families of the country. They moved under an influence and a controul, superior to all legal enactments, and by such an intercourse professional prejudices and habits became in a considerable degree softened and corrected. It is our candid and unbiassed opinion, that Mr. Leach, in these extraordinary times, filling the high office of Solicitor-General, would have gone far to mitigate the rigor and the severity of the new laws. We know nothing of Mr. Gifford, who was been lately appointed; we have scarcely heard of his name, untill his adoption by the present ministers. They have undoubtedly duly appreciated his qualifications, and entertain a sufficient confidence, that he will be at least useful to them; but whether he possesses the integtity, moderation and temper, for which the occasion calls, we do not feel ourselves in any condition to pronounce.

[*The Champion.*

A Long Job.—The Rev. Mr. Milne, in a Report to the Missionary Society of China, says, "We want Sir, fifty millions of New Testaments for China; and after that about one sixth of the population only would be supplied. I would ask no higher honour on earth than to distribute the said number." Now If Mr. Milne had commenced the distribution of the "said number" at the time the Ark rested on Mount Ararat, and had continued to distribute forty three testaments per day, Sundays excepted, he would have had on hand April 4, 1817, seven hundred and thirteen thousand, seven hundred and forty seven. Or, should he now begin his works and distribute ten each hour, during ten hours per day he would end his labours on the 27th day of January, in the year of our Lord 3411, at one o'clock in the afternoon!

MISCELLANEA.

The *granting* and *refusing* of Committees of the House of Commons to enquire into particular circumstances is at this moment peculiarly worthy of notice.—One night the claims of four or five millions of our fellow subjects the Irish Catholics, to a participation in the Constitution, are submitted to Parliament, and both Houses *refuse* even to go into a Committee, to examine what might be done—another night the House of Commons, in like manner, refuse even to go into a Committee, or to enquire into the state of the Representation of the People, though they have petitions from millions, praying that they would—and another night, *at the nod of the Minister*, both Houses appoint Secret Committees, and upon their bare reports, unsupported by evidence, and since (in the case of the treason sedition said to exist at Norwich) contradicted, by evidence suspend the most valuable security of the subject. If the House of Commons passes the further Suspension Act, the people at large connot fail to observe this striking contrast of their readiness to narrow the blessings of the Constitution, and of their immoveable repugnance *to enquire even* into the propriety of extending them.

Since Monday last we are sorry to say that the price of corn has risen from 8 to 10s. per quarter, owing to an apprehension that the quantity of wheat in store is unusually small. We trust the fear is unfounded, and that the stock on hand will be found fully equal to the consumption. But it surely becomes the imperious duty of Parliament to take this subject into consideration before they go into the question of continuing the Habeas Corpus Suspension Act. Relief to the people ought to be the first object of concern, that the cries of want may not be taken for the clamour of disaffection.

The merchants of Liverpool, interested in the importation of flour from America, send out travellers generally every spring to ascertain, as precisely as possible, the prospect of the wheat and other growing crops throughout this country. We are happy to learn, that the persons employed this season, have given it as their united opinion, that the country at large never stood in a more promising situation for rich and abundant crops of wheat, and all other sorts of grain. The American trade to this country, we understand, is greatly improved of late. There are many buyers of English goods from America, at present in London.

Monday se'nnight the neighbourhood of Golden square London, was thrown into great confusion by the assembling of nearly 2000 persons in consequence of a young woman having appeared at a Mr. [illegible] window, almost in a state of nudity, and screaming "Murder! I am being starved to death!", She was soon taken from the window; but the story spread with great rapidity, and information was given at Marlborough street Police Office, when an officer was sent, but could not obtain admittance; and Mr. Neil and his clerks attempted to effect their escape at the back of the premises, but did not succeed. Shortly afterwards Mr. Baker, the Magistrate, arrived, and obtained admittance; but the Gentleman had escaped over some yards into a court. Here, however, he was recognized, by some persons, and delivered into the hands of the officers, who had great difficulty in preventing him from being torn to pieces by the enraged multitude. He underwent a long private examination at this office; and we understand was ordered to find bail for his appearance at the ensuing Westminster Sessions. A similar charge was preferred against this Gentleman about two years ago. The young woman was found in a state of exhaustion, lying on a couch, with nothing but a filthy blanket wrapped round her. She is said to have been in confinement upwards of 18 months, and now lies in an hopeless state in St. James's Workhouse. Rumour assigns various reasons for the extraordinary conduct of this gentleman; but as it will soon come before a Jury, we abstain from mentioning them.

The *Moniteur* of the 20th contains a proof of the interest felt by Louis XVIII. in the practical economy of his Government, and in the relief of his people. By an ordinance of the King, the administration of the Forests is reformed: the conservators of Forests are suppressed; the administration of the *poste aux Chevaux* is united to the post office: the number of administrators for the registry of domains and forests is limited to four; the administrators of the posts, of the customs, and of indirect contributions, are suppressed. These are the main provisions of a decree which as evidence of a right feeling in the Sovereign of France, it is impossible for his subjects not to receive with gratitude; and difficult, we should suppose, for foreign Governments not to emulate, in behalf of their own people.

The Anniversary of Sir Francis Burdett's Election for Westminster, was celebrated on Friday by a dinner at the Crown and Anchor; on which occasion he was supported, among others, by the Marquis of Tavistock, Lord Ossulston, &c. Mr. Brougham in allusion to the intended continuance of the suspension of the Habeas Corpus Act, implored the meeting to unite in the most constitutional manner to prevent it. "Your Petitions" said he, "succeeded against the property tax. If you do half as much for your freedom as you have done for your property, you will succeed in securing both."—(*Loud applause*).

Requisitions are now signing to the Lord Mayor, requesting him to call Meetings of the Common Council and of the Livery of London, to petition against the further Suspension of the Habeas Corpus Act. Similiar Meetings we understand, are to be held in the County of Hertford, and other parts of the county.

[*Lichfield Mercury.—May 30.*

Paris June 3rd.—From all we can learn respecting the revolt in Brazil, we are inclined to believe it is so general, so well organized, and the people so unanimous, that little or no hope can be entertained of its re-subjection to the rule of the Portuguese Court. Thus the policy of Portugal in attacking the possessions of Spain, her neighbour and ally, when they were in a defenceless state, and thereby adding to the perplexities of that country in America, already so formidable, has been justly requited by a punishment more severe than the protestations of the European kingdoms against this act of violence, or the threats of retaliation on the part of Spain, can ever be deemed. Nations may draw from this circumstance lessons of justice to each other, and learn that the best basis for their own conduct is only to be grounded upon principles of undeviating rectitude. We should suppose there can now be little doubt of the return of the Prince of the Brazils to Europe, and of the establishment of the Court at Lisbon; but Portugal, should her colonies be separated from her, will find her power and resources most materially diminished, and the blow will be long and severely felt;—nay, unless the most assiduous [illegible] and industry to extend her commerce and manufactures, and thus create new sources of wealth be adopted, the loss she has sustained must be irremediable.

Paris June 4th.—According to the latest accounts from Trieste Savary still remains under quarantine in that port; his papers have been forwarded to Vienna for examination.

Her Serene Highness the Duchess of Orleans was safely delivered of a daughter at her Chateau near Neuilly, early yesterday morning.

A letter from Marseilles announces, but without giving any dates, the arrival of intelligence from St. Domingo. A third candidate for sovereignty (called Groman) has started in that luckless Island; and if we are to believe the writer, a civil war with three parties in the [illegible] is inevitable.

The arrest of General Savary, at Trieste, is confirmed. He had assumed a false name to avoid detection. General Drouet has been driven from Bavaria, although he had been allowed to purchase an estate there. He has been detected in political intrigues.

The earthquakes which were repeatedly felt some time since in Sicily have been followed by an eruption of Mount Etna. For seven days the volcano poured forth boiling lava, through several openings. Large excavations have also been produced in the earth; but no habitations have been destroyed and no lives lost.

The Diet of Frankfort has refused the boon solicited by the Jews, of enjoying the same commercial privileges as the Christians.

At the Consistory Court, on Friday, in the case Lady Herbert v. Lord Herbert, the Court pronounced the defendant contumacious.

The Finance Committee have published a 3d Report, which relates exclu-

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vely to the Ordnance Department—no specific reform is proposed, but they recommend the suspension of all works of fortification as unnecessary.— Three millions of muskets have been issued by the Ordnance since 1803.

In a cause tried last week in the Court of Common Pleas, Dublin, after the Judge's charge to the Jury, Mr. Gould, the Barrister, rose to make some remarks; upon which Lord Norbury goodnaturedly desired Mr. G. to charge the Jury himself; to which Mr. G. replied, "My Lord, if I were paid for it, I would do so." His Lordship rejoined, "I dare say you would, Sir, but before you can *charge*, I shall sound a *retreat*," and immediately adjourned the Court.

SUSPENSION OF THE HABEAS CORPUS ACT.

Lord Castlereagh appeared at the bar with a green bag, containing several papers, which was ordered to be brought up and laid on the table.—A long discussion then took place, which closed with the nomination of the old Committee to examine and report on the said papers, after a division of 126 to 66.—Adjourned.

FRIDAY—The Speaker communicated to the House his having received a letter from Lord Colchester, acknowledging his gratitude to the House for the thanks they had voted to him on the preceding evening—The Civil Compensation Bill went through a Committee; as did also the Tithe Leasing Bill.

In the House of Commons, on Friday, the Hon. Mr. Bennet stated, that there were above 200 public houses in London, in which a nightly and promiscuous assemblage of thieves took place, not only of men and women, but of boys & girls, of eight, nine, ten and eleven years of age. In some of them there was established a sort of regular Court of Justice, at the head of which a Jew presided, before whom was brought all the pillage and profits of the day and night, and who superintended the regular distribution. He knew one instance, of a boy not thirteen years old, who, in the course of one night, disposed of property in one of those houses to the amount of 100l!!

It was well observed on Thursday in the House of Commons by Mr. Bennet, with reference to the attempt of Ministers again to suspend the *Habeas Corpus Act*, that "if those busy, meddling, mischievous magistrates who, in order to stand well with the Ministers, had furnished all sorts of rumours and charges—if these magistrates themselves had been brought before the Committee? If those enlightened gentlemen, who had lately such an interesting correspondence with the Home Secretary; if those worthy persons who call themselves *knights of Brunswick*, one of whom, in the late contest for Norfolk, had been author of one of the most atrocious calumnies that ever issued from the press; if such pernicious meddlers were brought to the test, and their vague assertions and suspicions were well sifted, could there be any doubt but the result of such examination would be, that their charges would dwindle into the most ridiculous insignificance?" It is most scandalous that such contemptible wretches are permitted with impunity to libel the entire people; and that Ministers shew a disposition rather to listen to and believe their unsupported assertions, than the remonstrances and the petitions of the country at large.

In the debate on Tuesday se'nnight in the House of Lords, Earl Grey called the attention of the House to the following hand-bill, issued during the Norfolk Election by the friends of Ministers. His Lordship considered the production in question to be of a most inflammatory tendency:—

"ENGLISHMEN!—Q. What has caused the high price of Bread?—A. The Corn Bill.

"Q. Who added that unjust and cruel measure which grinds the poor industrious man to the earth, and entails misery on his starving family and helpless children?—A. The man who takes the Freeholders of Norfolk by the nose, and leads them when and where he pleases.

"Q. Who is it that has lent all his aid to crush the little farmer, that noble and virtuous independent member of society, by the incorporation of his little property to swell the already bulky estate of slavish tenants?—A. The proud and unfeeling Despot of Norfolk.

"Q. Who is it that by the enormous and extensive use of machinery, not only in agriculture, but in manufactures, has reduced thousands to a state of pauperism, madness, and despair, which have led to the commission of crime, at which human Nature shudders?—A. He who takes to himself the name and style of Patriot, and who wishes still further to hoodwink and enslave the men of Norfolk.

"Shall this system have no end? Are the feelings of mankind still further to be trampled upon?—A. *No! Arise, and do your duty!*"

Dublin Papers, which we received yesterday morning, bring accounts of riots of a serious character, which have arisen from the dreadful scarcity prevailing in many parts of that country. At Limerick, on the 7th and 8th inst. mills were broken into and plundered. One man was accidentally wounded. The Military and the Magistrates at length succeeded in dispersing the rioters. The distress of the poor is said to be beyond description. The riots had recommenced on the 9th. At Cork, on the 7th June, the people seized some meal that was about to be embarked, and lodged it in the market: the owner was induced by the Magistrates to land the rest, and no further acts of violence took place. Near the North Liberties of Limerick armed bodies of men are nightly traversing the country for potatoes. On the 6th several houses were broken into and the owners ill used. The leader of one gang was taken, with 150 stone of potatoes, and lodged in gaol. [*June* 15.

COURT OF KING'S BENCH.—FRIDAY.

THE KING V. THOMAS JONATHAN WOOLER.

Mr. Justice Abbot, at the sitting of the Court, addressed the rest of the Bench as follows: "I wish to take the earliest opportunity of reporting some circumstances which occurred yesterday at Guildhall, in the course of a trial which took place before me. The case to which I allude was an information by the Attorney General against a person of the name of Thomas Jonathan Wooler, for a libel. After the case had been gone through, the Jury retired to consider of their verdict, and while they were absent, another case was called on, the trial of it was proceeded in, and just before the reply in the second case was concluded, the door on my left hand was opened, in order to admit the gentlemen of the Jury, who had returned after considering of their verdict, and as soon as the reply was finished, in one or two sentences, the names were called over by the officer in the usual way, and answers were given in the ordinary manner. The foreman of the Jury then said, that the Jury found the defendant guilty, but three of them were desirous, or had desired him on their part, to add something. I then interposed, and observed that I thought I could not receive any thing coming from a part only of the gentlemen of the Jury; that the verdict must be the verdict of all; and I then asked (speaking, as I thought, in a very distinct and audible voice) whether all the Jury agreed in their verdict? I was answered that they did, and at that time I heard no dissent expressed by any person. The situation, however, was such, the Jury not having all of them come into my view, that it is not altogether impossible that some mistake or misapprehension might have taken place; it is not impossible that some might not hear distinctly what had been said.

The Jury having then retired, and the door being shut again, I proceeded to sum up the cause in progress; and when I had concluded, (it not being decorous to interrupt me), and after the second Jury had retired to consider of their verdict, a gentleman at the bar suggested, that some of the gentlemen of the first Jury had not concurred, nor intended to concur, in the general verdict delivered; or had been desirous that the verdict should be received with some degree of qualification. I have not the words very distinctly now in my mind, but the circumstances I have stated. I farther understood that some of the Jury were present, in or near the Court. I then said, that the verdict of the Jury had been recorded, and that it seemed to me, that sitting in that place I could not do any thing in the matter. I do not know whether I made use of the sentiment; but it certainly was impressed on my mind, that it would be extremely dangerous if after the Jury had retired from the bar, a Judge then in Court could receive and act upon any communication from them. I therefore was of opinion that the verdict must stand as the verdict of the Jury. I wished to take the earliest opportunity of stating this occurrence to my Lord and my brothers."

Mr. Chitty then rose, and was about to address the Court, when Lord Ellenborough in an authoritative tone said "Sir, the Court are deliberating upon the subject of the communication made by one of its own Members."

Lord Ellenborough (after consulting with the other Judges).—The Court connot, according to the authorities and precedents of law, receive an affidavit from a Juryman upon the subject of his verdict; and the reason why he is precluded from making the affidavit is, because, from the circumstances, it must have been intended that that verdict was given with his assent. In order to imply this assent, it must unquestionably appear that he heard what was propounded by the Foreman on behalf of himself and his fellows; and the difficulty that occurs to my mind is, whether in this case there is sufficient evidence for the Court safely to act upon, that the Jury did all hear what was propounded for them, and on their behalf, by the Foreman. The Jurymen were not all within the view of the Judge or it seems that a part of the Jury were in the room behind. I say, therefore, that we have not in this case the ordinary means existing in others, for presuming that every one of the Jury heard what was propounded by their Foreman. If, indeed, they did not hear it, they were not furnished with any means of contradiction, or of signifying any dissent or qualification. This fact supplies a distinction from all the cases that have usually come before the Court. A verdict is generally given, the jurors standing together in the presence of the Judge; and they have full opportunity of hearing what is propounded by the Foreman, and of expressing their dissent, if they thought fit so to do. If it could be satisfactorily made out, from the position and nearness of the Jury, or from the situation of the Judge, that all the Jury did hear, and that none of them dissented, it would perhaps be too much to disturb the verdict, and the Court could not receive any affidavit against it. But the perfect evidence of their hearing and their means of assenting or dissenting, seem to be wanting here; & therefore, I suggest for the consideration of my brothers, whether, in this case, under the uncertainty, (for any uncertainty is to be avoided, especially in a criminal proceeding,) it should not be allowed to the defendant to have the advantage of a new trial if he should be disposed to desire it.

The Attorney-General.—It would ill become me to gainsay any thing that has fallen from the Court; but I apprehend, the utmost extent to which your Lordhip has said the defendant shall be indulged is to show grounds for a new trial. I should apprehend, with great deference, that it cannot be granted in this case. The Jury were certainly all called over, and they answered to their names.

Lord Ellenborough.—We assume that.

The Attorney-General.—All were within the hearing at the time.—Lord Ellenborough: At that time certainly.

The Attorney General.—And the verdict was pronounced in such a tone of voice, that it must have been heard by all present.—Mr. Justice Bayley: The Judge himself has a doubt in his own mind whether the verdict as ultimately pronounced by the Foreman of the Jury, was distinctly heard by each and every of the Jurors.

Lord Ellenborough.—If he had seen them, there would have been incontrovertible presumption that they must have heard, unless otherwise disabled.

The Attorney General.—I was only about to state that the Court would expect it to be made out satisfactorily that the Jurors did not hear.

Lord Ellenborough.—The Court thinks it is precluded from the means of acquiring that knowledge through affidavits. That is the difficulty the Court feels. If it were not for the possibility that some of the Jury did not hear, the danger would be infinite, and this danger has, in former times, no doubt, deterred such applications. I do not know that an application of this kind has ever been made.

Mr. Justice Bayley—The Court, sensible of the difficulty, felt that it was due to my brother Abbot, and to the public, that he should make this communication. I entirely concur with my Lord in the observation he has made upon this case: it is peculiarly circumstanced, for the Jury were not all within view of the Judge; he could not see them, nor they him; and as soon as decorum would allow, the communication of dissent was made.

The Attorney-General.—I was only about to add a single word, If the Court thinks that, under the circumstances, the party should have a newtrial, I am sure, standing here for the Crown, I shall not resist it for a moment.

Mr. Justice Holroyd.—Otherwise the Court does not see how it can proceed to pass sentence.

The Attorney-General.—After the opinion the court has expressed, I shall not hesitate to pray that a new trial may be granted.

Lord Ellenborough.—I think, Mr. Attorney-Gen. you do as becomes you. (To Mr. Chitty.) Are you instructed, on the part of your client, to the extent of authorizing you to desire a new trial?

Mr. Chitty said, that yesterday he had appeared on behalf of the dissenting jurymen.

Lord Ellenborough.—Then you haveappeared, and we will hear no more at least upon that matter.

Mr. Chitty added, that he now appeared, and was instructed on behalf of the defendant.

Lord Ellenborough.—Do you desire a new trial?

Mr. Chitty.—I am instructed to apply to your lordships for an acquittal.

Lord Ellenborough.—When it comes to your turn you will move for what you think proper.

SATURDAY.

MR. WOOLERS CONVICTION.

At the sitting of the Court this morning,

The Attorney-General addressing the Court stated, that, in consequence of what passed yesterday upon this case, he had reason to expect that some motion would be submitted to the Court this day on behalf of Mr. Wooler. Being desirous of attending the Court when such motion should be made, he begged to be informed by the gentleman who appeared for the defendant yesterday, whether he now intended to make any motion.

Mr. Chitty—My Lords, I am not instructed to make any motion at all. I have received no instructions.

The Attorney-General said he was informed yesterday (certainly not by Mr. Chitty) that some motion would be made this morning. If any gentleman should be instructed to move, he (the Attorney-General) would be in attendance.

Lord Ellenborough.—If any other gentleman has information upon the subject, it would be courteous to communicate it to the Attorney-General, that he may not be kept in unnecessary attendance.

No gentleman answering this call, the matter remained as it did yesterday, the order for the new trial standing *de bene esse*. About half past two o'clock, the Court having gone through the motions, and being then upon the peremptory paper, the Attorney General and Mr. Chitty entered the Court. As soon as the Attorney-General was seated, Lord Ellenborough called upon him to know if he would move any thing.

The Attorney General.—"My Lord, I am not to trouble the Court with any motion myself, but I understand that Mr. Wooler has instructed counsel to make a motion on his part, if your Lordships will hear it."

Lord Ellenborough.—In general we should say, that having gone through the motions, and being now upon the peremptory paper, we could not, according to the usual practice of the Court, hear any motion now. But inasmuch as other business next week will postpone this till a late period, we will hear it, notwithstanding the irregularity of entertaining a motion at this period of the day.

Mr. Chitty then rose. I am humbly to move your Lordships, on behalf of the defendant, Thomas Jonathan Wooler, who is now a prisoner in the King's Bench, and has not the power of appearing before your Lordships personally, that he may be brought up on such a day as in the pleasure of the Court they may think proper to appoint, for the purpose of moving for a rule to shew cause why the entry of the supposed verdict in this prosecution should not be cancelled, and vacated, and why the rule obtained for granting a new trial should not be discharged. By the rule of the Court, such a motion must be heard within the first four days of Term, and the object of the defendant in desiring the motion to be made, is, that in case the four days may lapse by the pressure of business next week, he may not be prejudiced by the rule of Court, which requires the motion to be made within the first 4 days.

Lord Ellenborough.—"What, is your motion then?"

Mr. Chitty.—"My motion is, that he may be brought up on any other day that your Lordships may think fit to appoint, in order to move for a rule, calling upon the prosecutors to shew cause why the entry of the supposed verdict upon the record, should not be vacated. The defendant is desirous of doing this, upon an apprehension that this verdict, is in truth no verdict. It might be supposed (though the defendant does not now suggest it) that the defendant is entitled to his discharge; but his object will be to move that this verdict be removed from the record, as it now stands upon the *postea*, and that the prosecutors may be ordered to pursue such line of conduct, as the Court may think right for them to adopt."

Lord Ellenborough.—"By awarding a *venire facias de novo*, the Court do remove the verdict from the record."

Mr. Chitty.—"That only applies, my Lord, to cases where there has been a verdict of the Jury; but in this case, by an accident there is no verdict. The object which the defendant seeks ultimately, is, that he may be tried by the same Jury, if that can be effected. If a *venire de novo* is awarded, your Lordships is aware that would have a different operation."

After remaining in consultation with the other Judges for some time, Lord Elenborough said, "We cannot at present contemplate a day to be appointed for the purpose mentioned."—Mr. Chitty: The defendant only wishes a day most convenient to the Court. His only object is to prevent his being prejudiced, by not moving within the first four days of term. He is a close prisoner, and is consequently not able to attend personally to-day. Perhaps the Court will take that circumstance into their consideration.—Lord Ellenborough: I'll thank you to state distinctly what is the motion that, when he comes up, he is to make.—Mr. Chitty: The motion is this that he be brought up on such a day as this Honourable Court may appoint in order that he may move why the entry of the supposed verdict in this prosecution should not be vacated, and why the rule obtained for granting a new trial should not be discharged.—Lord Ellenborough: Rule *pronounced*, not obtained.—Mr. Chitty: Then, Rule pronounced, if your Lordship pleases.

Lord Ellenborough.—That the rule pronounced for granting a new trial should not be discharged.

Mr. Chitty.—And that in case he should not be brought up within the four days of the term, then that he should be at liberty to make such motion to this Court, as by its practice ought to be made within the first 4 days of term.

Lord Ellenborough.—Then it is only that he shall not be prejudiced by the lapse of the four days.

The court remained some time in consultation.

Lord Ellenborough.—It is quite impossible, in the present state of the business of the court, that one should at this moment appoint a day. But the Court will order him to be brought up on as early a day as they conveniently can. If you had moved earlier to-day, you might have brought him up to day, or if you had moved yesterday.

Mr. Chitty.—My Lord, I was not properly instructed in any precise form of motion until now.

The Attorney General.—So far as relates to the prisoner's not being prejudiced by the lapse of four days, I can make no objection to the motion of the learned counsel. All that I would enter my protest against is, its being understood, that your Lordship, by granting this indulgence, is at all sanctioning any form of motion that has been stated.

Lord Ellenborough.—"By no means. We merely say that the lapse of the four days, which is unavoidable under the circumstances pointed at, shall not prejudice the defendant in not conforming to the rule of Court. The motion, whatever it is, must staud upon its own merits and it may be received or rejected as it may deserve to be."

THE KING V. THOMAS JONATHAN WOOLLER.

This was a second information against the defendant, for printing and publishing a libel in the Black Dwarf, No. 3, of February the 12th; it was charged on the record to be a scandalous, malicious, and seditious libel, of and concerning the right of petition, of and concerning King John, Charles I. James II. William III. &c.

The Attorney-General stated the nature of the libel: he admitted that it was ludicrous in its form but it was, perhaps, the more injurious and dangerous on that account. He censured

in strong terms the endeavours here made to draw down contempt upon one of the most valuable rights of Englishmen, settled at what he should ever call the glorious Revolution of 1688; and he went through the various paragraphs pointing out such parts as, in his opinion, were peculiarly offensive. He took occasion to inform the Jury, that the defendant had a singular felicity of composition; for being a printer, he frequently had no need of manuscript, but printed from the dictation of his mind as he proceeded.——The defendant, as in the former case, admitted the facts of authorship, printing, and publishing; and Mr. Steill proved that he sold about 750 copies of this number of the Black Dwarf.

The libel was then read, in the following terms:—

"RIGHT OF PETITION.

"The people of this country have heard a great deal about the right of petition: and notwithstanding a thousand proofs of its inefficacy, they seem as fond of it as ever. But some tub must be thrown out to the whale. There must be found some way or other to dissipate the well-grounded discontent that so universally prevails; and like a breakwater, the right of petitioning is thrust forward to stop the current of popular dissatisfaction. All this is very well: but what purpose will it answer? Like all other delusions it will be found out at last, and then good bie to petitioning. In the literal acceptation of the term, nothing is, or can be so ridiculous. The right of petitioning. Bravo! John Bull, bravo! You have the right of petitioning, have you? And your ancestors obtained it for you, did they? And Hampden bled for the right of petitioning, did he? And Sidney was beheaded, and Russell, for the right of petitioning.—And your ancestors sent Charles to the block, and drove James to the———, for the right of petitioning, did they? And you possess the right, Johnny, do you? And are charged 60 millions a-year for it, are you? Well, you may call it one of your dearest rights, for you have paid dear enough for it, in all conscience. But you are a good sort of a fellow; and being no judge of the value of diamonds, it is the same to you whether you have glass or French paste. It must glisten a little to please your imagination; [illegible] you are pleased as the poor Indian who gives his gold or his treasure for a bauble.—But the savage is the better off of the two; for though he gets but a bauble, it is something at least; but you, John, have got nothing for your liberty, but have had your pocket picked into the bargain. But you have the right of petitioning, you say. Yes, you have indeed! and you petition away with a vengeance. You see those whom you petition have a voracious appetite for such kind of food. They swallow them as fast as the serpent of Moses swallowed all the other serpents. Only you have fed them a little too fast, and having to pick out of so many, they are now become a little nice. They want respectful petitions. They would have the politest epithets bestowed upon them, and if you will flatter their vanity, and rely upon their wisdom, faith you may use your right of petitioning as frequently as you please. You will assist trade by it. Lawyers will find employment dearer, and the tailors will get it cheaper to make measures with.

"But, in reality, master Bull, you estimate all this boasted right a little too highly. Are you not aware that you not only have it in common with the free burgesses of the Mogul, & the independent slaves of the Dey of Algiers? They say they are very sorry too; and that your petition ought to lie on the table for consideration, and that a proper time ought to be taken for such consideration. But then they, poor souls! are so busied for your good, throughout the session, that the proper time never comes, and your grievances are never redressed. It is sometimes hinted that they are only temporary, and will cure themselves; and there is no doubt of that: only be patient for half a century, and if the grievances do not die away, why you will; and that is the same thing. Now you see, that while you possess the right of petitioning, and they possess the right of neglecting your petitions, it is just the same thing as if you had no right at all. This is best side of the question. This is the view of the case when your petitions are deemed to be fit to be received: for you see that your right of petitioning is confined to a peculiar mode of expression. If your pockets are picked, you must not pray the House of Commons to hang a Minister—you must civilly ask them to be so kind as not to let him do it again. If your valuable constitution is injured, or totally destroyed you must only ask for its renovation in the most mild and gentlemanly terms. The House must not be insulted! Oh, no! the House must not be insulted! Although every body knows that the House of Commons, collectively taken, speaks neither the voice of the people, nor attends to the wishes of the people; although every body knows that a majority of that House are——what it would not be prudent to say; although the experience of ages has proved it the ready servant of the existing Minister; & that, therefore, it is neither rationally nor constitutionally the representative of the public; yet all this is to be veiled in silence. We may petition the House for reform, if in the same breath we will admit that it wants no reform: we may intreat it to restore us the blessings of our constitution, and give us back our rights, if we will confess that our rights have not been infringed upon, and that the blessings of the constitution have never been impaired. Such is now the state of the right of petition. We must suppress the remonstrance of truth, and the firm tone of justice, and then our complaints may be heard—and despised.

The terms imply this—the right of petition is only the privilege of slaves. Freemen would blush to hear it boasted of, in its modern acceptation. But were our ancestors fools then, and slaves? No neither. They were men, but not scholars. They approached their monarchs with petitions it is true, but then they carried arms in their hands to support them. They did not mean to petition, when they employed a term which custom had familiarly applied to addresses to the Throne. The first complaint was a petition, in its modern signification; the second was the determination to enforce it. Would petitioning have ever obtained the constitution? How then can petitioning be expected to preserve it. Was John petitioned to sign Magna Charta?—was Charles petitioned to lay down his head upon the block?—was James petitioned to abdicate his throne?—or was William petitioned to accept the Bill of Rights? No! no! the right of petitioning with our ancestors meant the right of laying their grievances before the highest authority, and demanding, or enforcing an attention to their wrongs. With them, then, you see that the right of petitioning meant the power of obtaining redress. With you it means nothing—but that you may assemble in your parishes, when you can get leave of the rector and churchwardens; in your towns, if the mayor chooses to call a meeting; in a tavern if you choose to be taunted with the rebuke, that you are not all inhabitants of the town; in the fields, if you wish to be called a mob, and to be surrounded with soldiers; and when you have met, you may state your opinions, and make speeches and call yourselves freemen, and say you are taxed by those whom you never elected; and that you are all freemen, all freeborn Englishmen, every one of you; and that you will claim your rights, you will that you will! You maythen buy as many skins of parchment as you please; you may indeed; & write your petition out fair, and get all your neighbours to sign it; and then you can take it to a member of parliament, and ask him to present it, which many of them will do for you. But then some will tell you that you are a parcel of fools or rogues, that they know better than you, and that they will take care to prevent the possibility of your obtaining your wishes. Now, is this not a blessed right, Master Bull? And ought you not to be very grateful for it, and very proud of it?

"But this is all tolerable fair yet. The House of Commons is attention itself, compared to another quarter, to which you are also privileged to carry your petitions. I beg yourpardon; no, you are only privileged to send them there. Now,your ancestors, Master Bull, never thought much about petitioning the House of Commons. That is a modern invention. They did not understand any thing about petitioning their immediate servants. They sent such men there as would do their duty properly; and when the people were aggrieved, they set their servants to petition the Crown, and to give it a broad hint about the necessity of redressing the matters complained of. But when one got as careless of the interests of the people as the other, it became necessary that the people should go to the Crown with their own complaints. But mark, what a dexterous plea was invented to save the Crown any trouble in this matter. The Crown had never been accustomed to receive petitions from the people, therefore would not receive them, except from one or two favoured bodies, who it was expected would give the Crown no great trouble that way.

"Thus you see, that your right of petitioning the Crown is merged in the right of sending a deputation to the office of the Secretary of State for the Home Department; & as the Crown never returns any answer to those that are sent there, you may believe, if you will, that the King ever takes the trouble to read them, or that his ministers ever pay any attention to them. I say you may believe this; I do not mean to tell you they do not. But it is the same to you whether they do, or whether they do not; for you have never been the better for either the trouble of the one, or the attention of the other."

Mr. Wooller, in his defence, stated, that when he wrote the above production he had not the slightest expectation that it would be made a source of serious inquiry in a Court of Justice; he did not imagine that the Ministerial jealousy of the freedom of the press would be quite so contemptible as to notice it; it was meant merely as a joke, and must be considered as the farce to the tragedy of the last information. In the sentiments, however, he heartily concurred, and if urged seriously, he should have supported them seriously. He went over the various parts of the libel that were considered particularly objectionable, arguing that the whole was grounded upon historical and incontrovertible facts. As to the passage regarding "enforcing" the redress of grievances, and, indeed, the whole of that portion of the letter, he insisted that it meant nothing more than the moral force which sound doctrines must ever enjoy; that though in the times of King John or Charles I. the force of arms might be necessary, in the present day, when all men were comparatively so well educated and enlightened, the force of reason was much stronger and more satisfactory. Such was the fair meaning to be put upon the whole libel, which was dictated on the spur of the moment, at a time when the House of Commons was rejecting an immense number of petitions in favour of Parliamentary reform.

The Attorney-General replied; after which Mr. Justice Abbot summed up, going minutely over nearly every paragraph of the publication, and declaring it as his decided opinion that it was libellous: that, however was a question, the decision of which, by law, rested with the Jury only.

The Jury retired for an hour, & then returned to the box, from whence the Foreman delivered the verdict of NOT GUILTY.

As soon as the verdict was declared, the Court rang with acclamations which continued during several minutes. The Sheriffs then interfered, and put an end to the disturbance.—We ought to have stated, that as soon as the defendant's case was closed on the first libel, Mr. Baron Garrow, Lord Castlereagh, and Mr. Canning applied to the defendant to know if their evidence was necessary, he replied in the negative, & they retired.—The two trials occupied the Court from half past nine in the morning until past six in the evening.

PARLIAMENT *of* GREAT BRITAIN & IRELAND.

On the House of Commons assembling on Monday they proceeded, on the motion of Lord Castlereagh to elect a Speaker in the room of Mr. Abbott.—Sir J. Nicholl proposed, for the choice of the House, the Hon. Charles Manners Sutton, who is one of the sons of the Archbishop of Canterbury, observing, that if integrity of character, if dignity of mind, if urbanity of manners, if a conciliatory disposition, if promptitude of apprehension, if quickness of decision, if impartiality of judgment, were qualities necessary in a Speaker, those qualities were most distinguishable in his Right Honourable Friend.—Mr. Littleton seconded the motion.—Mr. Dickinson said, all who heard him must be sensible of the talents and qualifications of Mr. Watkin Williams Wynn, whom he should take the liberty to propose to fill the vacant chair. He considered his Honourable Friend to be superior in his knowledge of the rules, orders, and forms of the House. It was but the other day, upon a point of order relating to their divisions (always a most important consideration) that their late Speaker bowed to his superior knowledge, (hear!)—Sir. W. Ridley seconded this latter nomination.—After short addresses from Mr. Sutton, Mr. Wynn, & Mr. Wilberforce, Lord Castlereagh presented himself; but the cries of "question" induced him to give up his design of addressing the House. A division then took place, when the numbers were—for Mr. Sutton 312; for Mr. Wynn 152; majority in favour of Mr Sutton 160. The House then adjourned.

On Tuesday, three commissioners appointed by the Crown signified the royal approbation of Mr Manners Sutton as speaker. A message from the Prince Regent was likewise delivered notifying that Mr Abbott, the late speaker, had been raised to the Peerage by the title of Lord Colchester, of Colchester, Essex, and requesting the House of Commons to enable his Royal Highness to make provision for supporting the dignity of the new Peerage.—Mr. C Wynn expressed great surprise at this message. It was in the Commons House of Parliament that Lord Colchester's services had been performed, and it was there and there only his well earned remuneration should originate. It was highly improper that future speakers of that House should look to the Throne for a recognition of their merits, and for the reward of their services (cries of hear, hear).—Lord Castlereagh said, that the provision recommended in the message, was not in consideration of Lord Colchester's services in the chair of that House, but went to support the dignity of that peerage.—Mr. Ponsonby considered this explanation as a subterfuge; for the message in its commencement referred to the services of Lord Colchester in that House.—Several of the members conceived that the House was placed in an embarrassing situation, as the remuneration in question should have originated in that House.—The Chancellor of the Exchequer at length agreed to withdraw the motion for referring it to the Committee of the whole House.

Lord Castlereagh appeared at the bar with the following message:—"His Royal Highness the Prince Regent, acting in the name and on the behalf of his Majesty, has given orders that there be laid before the House of Commons papers containing information respecting the continuance of practices, meetings and combinations in different parts of the kingdom to which, at the commencement of the present Session of Parliament, his Royal Highness called the attention of the House, and which are still carried on in such a manner, and to such an extent, as are calculated to disturb the public tranquillity, and to endanger the security of the established Constitution of these Realms. His Royal Highness recommends to the House of Commons to take these Papers into their immediate and serious consideration. GEORGE, P. R."

This message was taken into consideration on Thursday, when a Committee was appointed, with directions to report to the House, &c. A similar Committee has been appointed by the House of Lords.

[*June* 8.

TITHES.

A Pamphlet, published a few days ago, entitled, *The Sacred and Indefeasible Rights of the Clergy, examined, recognized, and vindicated*, addressed to the Right Honorable Lord Viscount MILTON, M. P. for Yorkshire, ought to be read by every man in the country, Clergy as well as Laity. The Author has, in plain and simple, though occasionally in nervous and forcible language, expressed the wants, wishes, and feelings of the country at large on the subject of Tithes; he at the same time urges the sacred nature of the claim which every Pastor has upon his flock:—"I feel," says the Author, "as strong a moral obligation to contribute, according to my means, to the support of my spiritual Pastor, as I do to provide for my own children."

The means recommended by the Author for relieving the people from the heavy and obnoxious burdens imposed by the Church, must inevitably be sooner or later had recourse to. They only can afford radical and permanent relief, but whether the situation of the country, at this moment, is such as to render measures for relief necessary, it is for the wisdom of the Legislature to decide; at all events, it is to be hoped, that the subject will shortly occupy the attention of the people's representatives.

ABSTRACT OF A BILL

FOR ENABLING ECCLESIASTICAL PERSONS AND OTHERS TO MAKE LEASES OF TITHES, SO AS TO BIND THEIR SUCCESSORS.

The Bill recites, that great inconveniences have arisen from the incapacity of Ecclesiastical Persons and others, having qualified interests in Tithes, to make leases thereof, so as to bind their successors; and that the authorising of such leases to the tenants or owners of the lands liable to the payment of tithes, would tend to diminish the inconvenience and dissentions which frequently arise from the taking of tithes in kind,

And enacts, That it shall be lawful for all Bodies Politic, Corporate, and Collegiate, and all persons having Ecclesiastical Preferment, or being entitled to any impropriate tithes for an estate for life or lives, or years determinable on a life or lives, or in tail, or in fee, determinable by executory devise or shifting use, and not having any express power of leasing to make leases of their tithes, by Indenture, for any number of years, not exceeding a period to be limitted by the Act, at the best rent that can be gotten, and that such leases shall be binding upon the successors, remainder men, &c.

That no lease made by any Rector, Vicar, or other Ecclesiastical Person, shall be valid, without the previous consent in writing, of the Patron, and of the Bishop or Ordinary (except as to donatives, &c.) and such consent shall not be given by the Bishop or Ordinary without a Certificate on oath by a Surveyor, that the rent agreed upon is a fair equivalent for the tithes to be leased.

That the costs of the valuation by such Surveyor, shall be paid by the parties interested in equal moieties; and that the Certificates shall be filed, and preserved for reference by the Bishop's Registrar.

That the preference of taking such leases shall belong to the persons in the actual possession, or entitled to the receipt of the rents and profits of the lands out of which the tithes shall arise (except tenants for years at rack rent), but that in case of their refusal, occupiers or tenants at rack rent, may accept leases for terms not exceeding those they possess in the lands, &c. provided that no leases are made to tenants at rack rent, at a lower rent than that at which they were offered to persons entitled to preference.

That leases taken under such preference shall be incident to, and attendant upon, the estate or interest of the person to whom they are made in the lands out of which the tithes arise; and if such estate or interest shall determine or be defeated before the expiration of such lease, it shall be lawful for the person succeeding to the lands in remainder, &c. to call for an assignment of such lease.

That where any such lease shall be taken under such benefit of preference as aforesaid, by the owner of the land, during the subsistence of any lease for years thereof at rack rent; it shall be lawful for the tenant or occupier at rack rent, on giving notice of his intention within a stated time after the making of the lease, to take the benefit of such lease during his term, and that in such case an equivalent tithe rent, or a just proportion thereof, shall be payable by such tenant or occupier to the lessee of the tithes, in addition to the reserved rack-rent.

That a proportional part of the tithe-rent reserved on such leases, shall be payable to every Ecclesiastical person resigning or otherwise avoiding his benefice, or to the executors or administrators of any Ecclesiastical person, dying in the interval of any of the stated days of payment.

That the tithe-rent reserved on such leases shall be recoverable by distress, upon the land out of which the tithes shall arise; and that such distress, for so many quarterly payments as are specified by the Act, shall have the preference over all other claims.

That if the tithe-rent shall be in arrear, by a limited space, after demand thereof in writing, and no sufficient distress to be found on the lands charged therewith, the tithe-owner may avoid the lease.

That the lessors shall have all such remedies for the recovery of tithe-rent reserved on such leases, as they might have had on any agreement or composition for the payment of tithes.

That such leases shall be in the form prescribed by the schedule to the Bill, and shall not be liable to any stamp duty, unless the tithe-rent shall exceed a certain sum.

That the leases shall not be binding upon successors, remainder-men, &c. if any other consideration shall be taken for the making thereof than the rent thereby reserved.

That this Act shall not impeach or diminish the power of leasing tithes now existing by law.

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BOMBAY.—PRINTED FOR THE *PROPRIETORS*, BY M. D. CRUZ, IN BAKE-HOUSE LANE,

WHERE ADVERTISEMENTS, ESSAYS, POETICAL PIECES, ARTICLES OF INTELLIGENCE, &C. &C. WILL BE THANKFULLY RECEIVED.

Gentlemen about to change their stations, are requested to give notice to the PRINTER, who will pay due attention to their Orders.

SUPPLEMENT TO THE BOMBAY GAZETTE.

Wednesday, 15th October, 1817.

PARIS—THE THEATRES.

It is difficult for any person who has never quitted England to enter into the feelings which every one must experience when he first finds it in his power to examine those peculiarities of national manners, or national taste, in the people of other states, which have long been the subject of speculation in his own country, and on his imperfect knowledge of which, much perhaps of the estimate he has formed of the character of those nations may depend. The circumstance which perhaps, of all others connected with the people of France, is most likely to create this feeling of curiosity and interest, is the opportunity of attending the French theatres. In most countries, and even in some where dramatic representations possess much greater power over the minds of the audience, the theatre is comparatively of much less importance to a stranger in assisting him to judge of the character of the people; the observations which he may collect can seldom be of any great use in affording him means of understanding their manners and public character, and at the most, cannot inform him of those circumstances in the character of the people with which their happiness and prosperity are connected;—but the theatre at Paris is an object of the greatest interest to a stranger; every one knows how strikingly the character and dispositions of the French people are displayed at their theatres; and at the period when we were there, as every speech almost contained something which was eagerly turned into an allusion to the circumstances of their situation, and to the events which had so lately taken place, the interest which the theatres must at any time have excited, was greatly increased.

There was another object also, less temporary in its nature, which rendered frequent attendance at the theatre, one of the most useful and instructive occupations of our time. The construction and character of the French tragedies have been as generally questioned in other countries, as they are universally and enthusiastically admired in France; and with whatever feelings, whether of pleasure or fatigue, we might have read these celebrated compositions, we were all naturally most anxious to ascertain how far they were calculated for actual representation, and what effect these plays, which possess such influence over the French people, might produce on those who had been accustomed to dramatic writings of so very different a description.

The theatres present, at first view, a very favourable aspect of French character. The audience uniformly conduct themselves with propriety and decorum; they are always attentive to the piece represented, and shew themselves, in general, very good judges of theatrical merit; and the entertainments which please their taste are certainly of a superior order to a great part of those which are popular in England. A great number of the performances which are loudly applauded by the pit and boxes of the London theatres, would be esteemed low and vulgar, even by the galleries at the Theatre Francais. It must be added, likewise, that the morality of the plays which are in request, is very generally more strict than of favorite English plays; and often of a refined and sentimental turn, which would be little relished in England. The tragedies acted at the Theatre Francais are generally modelled on the Greek; those of Racine and Voltaire are common. The comedies have seldom any low life or buffoonery, or vulgar ribaldry in them. The after pieces, and the ballets at the Academie de Musique, and at the Opera Comique, are often beautiful representations of rural innocence and enjoyments.

It appears at first difficult to reconcile this taste in theatrical entertainments with the wellknowu immorality of the Parisians; but the fact is, that as they are in the daily habit of speaking of virtues which they do not practise, so it never appears to enter their heads, that the sentiments which they delight in hearing at the theatres ought to regulate their conduct to one another. They applaud them only for their adaptation to the situation of the fictitious personages; whereas in England they are applauded, for speaking home to the business and bosoms of the audience.

The conduct and style of the French tragedies, in particular, appear to be very characteristic of a nation among whom noble and virtuous feelings are no sooner experienced than they are proclaimed to the world; and are there valued, rather for the selfish pleasure they produce in the mind, than for their influence on conduct. The French will not admit, in their tragedies, the represeniation of all the variety of character and situation that can throw an air of truth and reality over dramatic fiction; they can admire such incidents and character only, as accord with the sentiments and emotions which it is the peculiar province of tragedy to excite. They are not satisfied with the indication, in a few energetic words,—valuable only as an index to the state of the mind, and an earnest of the actions of the speaker,—of feelings too strong to find vent at the moment, in words capable of fully expressing them; they must have the full developement, the long detailed exposition of all the thoughts which crowd into the mind of the actor or sufferer, expanded, as it were, to prolong the enjoyment of those who are to sympathise with them, and expresed in select and appropriate terms, with the pomp and stateliness of heroic verse. An English tragedy is valued as a representation of life and character; a French tragedy as a display of eloquence and feeling; and the reason is, that in France eloquence and feeling are valued for their own sake, and in England they are valued for the sake of the corresponding character and conduct.

It is perhaps one of the strongest arguments in favour of the general plan of the English drama, and one of the best proofs that dramatic poetry ought to be judged by very different principles from those by which other kinds of poetry are criticised, that one of the principal merits of the French actors consists in hiding the chief peculiarities of their own dramatic school. The personages in a French tragedy are represented by the authors as it were a degree above human nature; but the actors study to present themselves before the audience as simple men and women; the speeches are generally such as appear to be delivered by persons who are superior to the overwhelming influence of strong passions, and who can calmly enter into an analysis of their own feelings; but the actors labour to give you the impression, that they are agitated by present, violent, and sudden emotions; the tragedies are composed with as much regularity as epic poems in heroic verse, but the best actors do all in their power, by varied intonation, by irregular pauses, and frequent bursts of passion, to conceal the rhymes, and break the uniformity of the measure.

The effect of the rhymes and regular versification, in the mouths of the inferior actors, who have not the art to conceal them, is, to an English ear at least, very unpleasing, and indeed almost destructive of theatrical illusion; and as a number of such actors must necessarily appear in every tragedy, it may be doubted whether a tragedy is ever acted throughout on the French stage in so pleasing a manner, at least to an English taste, as some of our English tragedies are at present in the London theatres—as Venice preserved, for example, is now acted at Covent Garden. It such be our superiority, however, it must be ascribed, not to the tragic genius of the people being greater, but to there being fewer difficulties to be overcome on the English stage than on the French.

We think it is pretty clear, likewise, that the style of the best English tragedies affords a better field for the display of genius in the actors, than that of the French. Where the sentiments of the characters introduced are fully expressed in their words—where their whole thoughts are detailed for the edification of the audience, however grand or touching these may be, it is obvious, that the actor who is to represent them is in trammels; the poet has done so much, that little remains for him; his art is confined to the display of emotions or passions, all the variations of which are set down for him, and which he is not permitted to alter. But when the expression of intense feeling is confined to few words, to broken sentences, and sudden transitions of thought, which let you, indeed, into the inmost recesses of the soul of the sufferer, but do not lay it open before you, it is permitted for the genius of the actor to co-operate with that of the poet in producing an effect, for which neither was singly competent. Those who have witnessed the representation of the heart-rendings of jealousy in Kean's Othello, or of the agonies of "love and sorrow joined" in Miss O'Neil's Belvidera, will, we are persuaded, acknowledge the truth of this observation.

The ideas which we had formed of the French stage, from reading their tragedies, had prepared us to expect, in their principal actor, a figure, countenance, and manner, resembling those of Kemble, fitted to give full effect to the declamations in which they abound, and to the representation of characters of heroic virtue, elevated above the influence of earthly passions. The appearance of Talma is very different from this, and certainly has by no means the uniform dignity and majestic elevation of Kemble.

Difficult as it must always be to convey, by any general description, a distinct or adequate notion of the excellence of any actor, there are some circumstances which it is common to mention, and some expressions which must be understood wherever the theatre is an object of interest, and the power of acting appreciated. Talma appears to us to unite more of the advantages of figure, and countenance, and voice, than any actor that we have ever seen: it is not that his person is large and graceful, or even well proportioned; on the contrary, he is rather a short man, and is certainly not without defects in the shape of his limbs. But these disadvantages are wholly overlooked in admiration of his dignified and imposing carriage—of his majestic head—and of his full and finely-proportioned chest, which expresses so nobly the resolution, and manliness, and independence of the human character.

There is one circumstance in which Talma has every perfection which it is possible to conceive—in the power, and richness, and beauty of his *voice*. It is one of those commanding and pathetic voices which can never, at any distance of time, be forgotten by any one who has once heard it: every variety of tone and expression of which the human voice is capable, is perfectly at his command, and succeed each other with a rapidity and power which it is not possible to conceive. It makes its way to the heart the instant it is heard, and at the moment he begins to speak, you feel not only your attention fixed, and your admiration excited, but the mind wholly subdued by its resistless influence, and disposed to enter at once into every emotion which he may wish to produce. The beauty and feeling of his under tones, the affection, tenderness, and pity which they so exquisitely express, are so perfect, that no one could forese in such perfections, the fierce, hurried, and overbearing tones of Nero—the voice of deep and exhausting suffering, which in Hamlet shews so profound an impression of the misery he had undergone, and of the hopelessness of the situation in which he is placed,—or still more the shriek of agony in Orestes, when he finds the horrors of madness again assailing him, and when, in that utter prostration of soul which the belief of inevitable and merciless destiny alone could produce in his mind, he abandons himself in dark despair to the misery which seems to close around him for ever.

We have heard several English people describe Talma's countenance, as by no means powerful enough for a great actor; it appeared to us, that in no one respect was he so decidedly superior to any *actor* on the English stage, as in the truth and variety of expression which it displays. There is one observation indeed regarding the acting of Talma, which often suggested itself, and which may, in some degree, prepare us to expect, that English people in general could not be much struck with the expression of his countenance. On the English stage, it appears commonly to be the object of the actors, to give to every sentiment the whole effect of which the words of the part will admit, as fully as if that sentiment were the only one which could occupy the mind of the character at the time; and any person who will attend to the manner in which Macbeth and Hamlet are performed, even by that great actor whose genius has secured at once the pre-eminence which the reputation of Garrick had left so long uncontested, may observe, that of the parts, which are applauded as the strongest proofs of the abilities of the actor, consist in the expression given to sentiments, undoubtedly of subordinate importance in the situation of these characters, and which probably could never occupy so exclusively the mind of any one really placed in the circumstances represented in the play, and under the influence of the feelings which such circumstances are calculated to produce. In the character of Hamlet, in particular, there are several passages, in which it is the custom to express minor and passing sentiments with a keenness little suitable to the profound grief in which Hamlet ought to be absorbed at the commencement of the play, and can be natural only when the mind is free from other more powerful emotions. It appears to us, that the consistency of character is much more judiciously and naturally preserved in the acting of Talma; that he is more careful to maintain invariably that unity of expression which ought to be given to the character, and is more uniformly under the influence of those predominating feelings, which the circumstances of the situation in which the part has placed him seem fitted to excite. Under this impression apparently of the object which an actor ought to keep in view, Talma omits many opportunities, which would be eagerly employed on the English stage, to display the power of the actor, though the natural consistency of character might be violated; and never seems to think it proper to express, on all occasions, every sentiment with that effect which should be given to it, only when it becomes the predominant feeling of the moment. Much, no doubt, is lost for stage effect by this notion of acting. Many opportunities are passed over, which might have been employed to shew the manner in which the actor can represent a variety of feelings, which the language of the play may seem to admit; and we lose much of the art and skill of acting, when the talents of the actor are limited to the display of such sentiments only as accord with the simple and decided expression of character which he is anxious to maintain.

But on the other hand, the impression which this representation of character makes upon the mind, is on the whole much more profound, and the interest which the spectator takes in the circumstances in which the character is placed, is much greater when the actor is so wholly under the influence of the feelings which the situation of the part ought to excite, as never to betray any emotion which can weaken that general effect which this situation would naturally produce. To those, therefore, accustomed to the greater variety of expression which the practice of the English stage renders necessary in the countenance of every actor, and to the strong and often exaggerated manner in which common sentiments and ordinary feelings are represented, there may perhaps appear some want of expression in Talma's countenance; but no one can attend fully to any of the more interesting characters which he performs, without feeling an impression produced by the power and intelligence of his countenance, which no length of time will ever wholly efface. It is not the expression of his countenance at any particular moment which fixes itself on the mind, or the force with which accidental feelings are represented; but that permanent and powerful expression which suits the character he has to sustain, and never for an instant permits you to forget the circumstances, of whatever kind, in which he is placed; and those who have seen him in any of the greater parts on the French stage, can never forget that unrivalled power of expressing deep grief, of which nothing in any English actor at present on the stage can afford any idea.

At the same time it must be admitted, that Talma has arrived at that time of life, when the hand of age has impaired, in some degree, the vigour and expression of the human frame, and when his countenance has lost much of that variety and play of expression which belongs to the period of youth alone; it has lost much of the warmth and keenness of youthful feeling, and probably might fail in expressing that openness, and gaiety, and enthusiasm, which time has so great a tendency to diminish. But these qualities are not often required in the parts which Talma has to perform in the French plays; and if his countenance has lost some of the perfections of earlier years, it has, on the other hand, gained much from the seriousness and dignity of age. If, for instance, he does not express so well the ardour—the hope—the triumph of youthful love, there is yet something irresistibly affecting in the earnestness with which he expresses that passion; something which adds most deeply to the interest which its expression is calculated to excite, by reminding one of the instability of human enjoyment, and of the many misfortunes which the course of life may bring with it to destroy the visions of inexperienced affection. We have already mentioned, that in the expression of profound emotion and deep suffering, the countenance of Talma is altogether admirable; and we doubt whether there is any thing in this respect more true and perfect, even in the performance of that great actress who has, in the present day, united every perfection of grace, and beauty, and genuine feeling which the stage has ever exhibited. But the countenance of Talma, in scenes of distress, expresses not merely suffering, but if possible, something more which we have never seen in any other actor. He alone possesses the power of expressing that *impatience* under suffering – that restless, constant wish for relief, which produces so strong an impression of the truth and reality of the affliction with which you are called upon to sympathise.

His attitudes and action are uncommonly striking, seldom in the exaggeration of the French stage, and never running into that immoderate expression of passion in which dignity of character is necessarily sacrificed. Talma appears to understand the use and management of action better than any actor on the French stage; and though at times some prominent faults, inseparable, perhaps, from the character of the plays in which he is compelled to perform, may be observable; yet in general, his action appears to possess a power and expression beyond what is attempted by any actor on the English stage.

Nothing can be conceived apparently so inconsistent with the character of the French plays, as the manner in which they are delivered. The harangues, which are tedious to many when read, might probably be very uninteresting to all when performed, if delivered with that unbending and unimpassioned declamation, which seems to suit "their stately march "and long resounding lines:" to a French audience, in particular, such representations would be intolerable, and the actors, accordingly, have been led to perform them with a degree of energy and passion which they do not appear intended to admit, but which was necessary, perhaps, to awaken those emotions which it must be more or less the object of theatrical representations to excite, wherever they are to be performed to all classes of mankind. As might have been foreseen, the French actors, compelled to counterfeit a degree of warmth and feeling which was not suggested by the sentiments they utter, or the language they employ, have fallen very naturally into the error of making the expression of passion immoderately vehement; and thus, when not guided by the language they are to use, have become not only indiscriminate in the introduction of violent emotion, but often run into a degree of warmth, totally destructive of every feeling of propriety and dignity.

The striking circumstance in Talma's acting is, that he alone seems to know how to act the French plays with all the feeling and interest which can be necessary to produce effect; and at the same time, to avoid that exaggerated representation of passion which repress the very emotions it is intended to excite. The means by which the genius of this great actor has accomplished so important an effect, and overcome difficulties which seem insuperable to the rest of countrymen, afford the best illustration that can be given of the talents and imagination he displays. Talma appears to have thought, and most justly, that the only manner in which the French tragedies can approach and interest the heart, is by the impression which the character and the moral tendency of the play may, upon the whole, be able to produce, not by the force or pathos which can be thrown into any detached speeches, or by the effect with which individual parts of the tragedy may be given. The impression which might be created by the delivery of any particular passsage, or by the expression of any occasional sentiment, he seems at all times to consider as of subordinate importance to the preservation of that permanent character, whether of intense and overpowering suffering, or wild desperation, by which he thinks the feelings of the spectators may be most deeply and heartily interested. Much as we admire the excellencies of the English stage, and none we are persuaded can have an opportunity of comparing it with the acting of the French theatre, without being more sensible of its perfections, we think it may yet be observed, many important objects are sacrificed to the desire of producing *continual* emotion,—to the practice of making every sentiment and every word tell upon the audience, with an effect which could not be greater, if that sentiment were the whole object of the tragedy. We admit, most willingly, the talent and feeling which are often so beautifully displayed in the course of the inferior scenes; and the impression, which is so frequently produced over the "whole assembled multitude," by the delivery of a single passage, of no importance in itself, attests sufficiently the merits of the actors who can thus wield at will the passions of the spectators. What we are anxious to observe is, that the *general impression* from the play must be less profound, when the mind is distracted by a variety of powerful feelings succeeding each other so rapidly, and when the interest, which would naturally increase of itself as the performance proceeds, in the history and moral tendency of the tragedy, is thus broken, as it were, by the influence of so many transient passions. It is very singular to observe the difference, in this respect, between the character of an English and a Parisian audience: To the former, every thing, as if passes, must be given with the greatest effect; no opportunity can safely be omitted, by any one attentive to the public opinon, of displaying the power with which each sentiment may be expressed; and there is no common feeling among the spectators, of the subserviency of all the different parts of the tragedy to one great import, or that it is only in the more important scenes, where the events of the story are coming to a close, that great talent is to be exerted, or profound emotion excited. The feelings of a French audience, as might be expected, are such as better suit the character of the plays which have been so long addressed to them; they like to have their interest awakened, and their feelings excited, only as the story proceeds, and the deeper scenes of the tragedy begin to open upon them; and it is to the general impression which the progress and close of the play have upon the mind, that they look, as to the criterion of the excellence of the manner, in which that play has been performed. Nothing, therefore, can be apparently quieter than the commencement of a French tragedy; and a person unacquainted with the language, would be disposed to conclude what was passing before him as uninteresting in the highest degree, if *he did not observe the most profound and eager attention to prevail in those to whom it is addressed.* It would be a subject of very curious and instructive speculation, to examine the circumstances, in the situation and intelligence of the people in both countries, which have occasioned this remarkable difference in their feelings, in moments when the influence of prejudice, or the effect of peculiar character, generally gives way, and when the genuine sentiments of mankind, as invariably happens when the different ranks of men are assembled indiscriminately together, assume their natural empire over the human heart. It might unfold some interesting conclusions both as to the great object of the drama, and the genuine style of dramatic representation; and might place, in a more important point of view than is within the consideration, perhaps, of many who so hastily decide on the superiority of the English stage, the excellence they admire.

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